

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
EVANSVILLE DIVISION

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PATRICIA A. TERRANOVA, Plaintiff, v. SUNRISE CREDIT SERVICES, INC., Defendant.	CASE NO. 3:10-cv-150 RLY-WGH COMPLAINT
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COMPLAINT

I. INTRODUCTION

1. This is an action for statutory and actual damages, punitive damages, costs of the action and a reasonable attorney's fee brought by Plaintiff Patricia A. Terranova for violation of the Fair Debt Collection Practices Act, 15 U.S.C. § 1692 et seq., by Defendant.

II. JURISDICTION

2. Jurisdiction of this court arises under 15 U.S.C. § 1692k(d), 28 U.S.C. §§ 1331, and 1337.

III. PLAINTIFF

3. Plaintiff Patricia A. Terranova is a natural person residing in Evansville, Indiana.

IV. DEFENDANT

4. Defendant Sunrise Credit Services, Inc. (hereinafter "Sunrise") is a for-profit foreign corporation with its principle place of business in Farmingdale, New York.
5. At all relevant times herein, Sunrise was operating as a debt collector as defined by 15 U.S.C. § 1692a(6).

V. STATEMENT OF FACTS

6. Defendant called Plaintiff's parents' residence and spoke with Plaintiff's father on October 8, 2009.
7. Defendant called Plaintiff's parents' residence and spoke with Plaintiff's mother on October 14, 2009.
8. Defendant called Plaintiff's parents' residence and spoke with Plaintiff's father on October 26, 2009; Plaintiff's father told the caller that Plaintiff did not live there anymore and to please not call there again.
9. Defendant called Plaintiff's parents' residence and spoke with Plaintiff's father on November 5, 2009.
10. Defendant called Plaintiff's parents' residence and spoke with Plaintiff's father on November 12, 2009.
11. On January 19, 2010, Defendant sent Plaintiff a letter, a copy of which is attached hereto as Exhibit A.
12. Exhibit A states in part: "The next step will be for our General Counsel, Benjamin Carroccio, Esq. to choose an attorney in your local area to begin a lawsuit against you on behalf of our client."
13. Defendant called Plaintiff several times, including in January and February 2010, and spoke with Plaintiff in an abusive, harassing manner.
14. On June 16, 2010, Defendant sent Plaintiff a letter, a copy of which is attached hereto as Exhibit B.

VI. CLAIMS FOR RELIEF

A. Fair Debt Collection Practices Act


15. Plaintiff Patricia A. Terranova repeats, re-alleges and incorporates by reference paragraphs one through thirteen above.
16. Defendant violated the Fair Debt Collection Practices Act. These violations include, but are not limited to:
 - (a) Calling and harassing Plaintiff's parents in violation of 15 U.S.C. § 1692c(b);
 - (b) Calling and harassing Plaintiff in violation of 15 U.S.C. § 1692d;

- (c) Failing to provide written notice of the information required by 15 U.S.C. § 1692g(a) within five days after the initial communication with Plaintiff;
- (d) Threatening to take action ("The next step will be for our General Counsel, Benjamin Carroccio, Esq. to choose an attorney in your local area to begin a lawsuit against you on behalf of our client.") that was not intended to be taken in violation of 15 U.S.C. § 1692e(5).

17. As a result of these violations of the Fair Debt Collection Practices Act, Defendant is liable to Plaintiff Patricia A. Terranova for her actual damages, statutory damages, punitive damages, costs, attorney fees and all other appropriate relief.

WHEREFORE, Plaintiff Patricia A. Terranova respectfully requests that the Court enter judgment in her favor and against Defendant in an amount that will compensate her for her actual damages, statutory damages, punitive damages, costs, attorney fees and all other appropriate relief.

Respectfully submitted,


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